

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **DEPOSITION OVER MIXED SUBSTRATES (as amended)**; the specification of which was filed on **February 11, 2002** as Application Serial No. **10/074,633** and was amended on **April 9, 2002**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.	Filing Date	Application No.	Filing Date
60/268,337	February 12, 2001	60/332,696	November 13, 2001
60/279,256	March 27, 2001	60/333,724	November 28, 2001
60/311,609	August 9, 2001	60/340,454	December 7, 2001
60/323,649	September 19, 2001		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: **Michael A. Todd**

Inventor's signature Michael A. Todd

Date April 22nd, 2002

Residence: **7041 N. 14th Place, Phoenix, AZ 85020**

Citizenship: **United States**

Post Office Address: **Phoenix, AZ 85020**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

ASMEX.328A



COPY OF PAPER
ORIGINALLY FILED

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Michael A. Todd)
)
App. No.	:	10/074,633)
)
Filed	:	February 11, 2002)
)
For	:	DEPOSITION OVER MIXED)
		SUBSTRATES (as amended))
)
Examiner	:	Unknown)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995, and Todd Westersund, Reg. No. 45,739, ASM America, Inc., 3440 East University Drive, Phoenix, AZ 85034, as its attorneys with full power of

App. No. : 16/074,633
Filed : February 11, 2002

substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

ASM AMERICA, INC.

Dated: April 24, 2002

By: 

Todd Westersund
Intellectual Property Officer
3440 East University Drive
Phoenix, AZ 85034-7200

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ASSIGNMENT

WHEREAS, I, Michael A. Todd, a United States citizen, residing at residing at 7041 N. 14th Place, Phoenix, AZ 85020, have invented certain new and useful improvements in a **DEPOSITION OVER MIXED SUBSTRATES** for which I have filed an application for Letters Patent in the United States, 10/074,633, on February 11, 2002;

AND WHEREAS, ASM AMERICA, INC. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 3440 E. University Drive, Phoenix, AZ 85034-7200, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in return for good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22nd day of April, 2002

Michael A. Todd
Michael A. Todd

STATE OF Arizona

COUNTY OF Maricopa

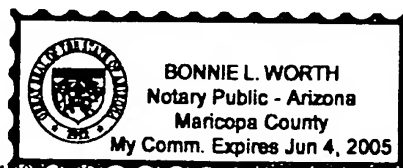
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On April 22 2002, before me, Bonnie L. Worth, Notary Public, personally appeared Michael A. Todd personally known to me (or ~~proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Bonnie L. Worth
Notary Signature